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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/974,529	10/09/2001	William L. Thomas	UV-208	9814

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FISH & NEAVE IP GROUP
ROPES & GRAY LLP
1251 AVENUE OF THE AMERICAS FL C3
NEW YORK, NY 10020-1105

EXAMINER	
CHOWDHURY, SUMAIYA A	
ART UNIT	**PAPER NUMBER**
2623	

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/974,529	THOMAS ET AL.	
	Examiner	Art Unit	
	Sumaiya A. Chowdhury	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 March 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-100* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-100* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Arguments

1. Applicant's arguments with respect to claims 1-100 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, 7, 14, 18-19, 24-30, 32, 39, 43-44, 49-55, 57, 64, 68-69, 74-80, 82, 89, 93-94, 99, and 100, are rejected under 35 U.S.C. 102(e) as being anticipated by Kambayashi (6157809).

As for claims 1, 26, and 76 Kambayashi discloses a method, system, and processor readable medium (2 – Fig. 1) comprising:

Means (2c – Fig. 1) for receiving a request for on-demand media (10 – Fig. 3 & 12) from a user (The on-demand media as shown in 10-Fig. 3 is displayed when a request is received from the user - col. 13, lines 46-51, col. 14, lines 64-65);

Means (2c– Fig. 1) for retrieving supplemental content (sub-picture 12 – Fig. 3) related to the on-demand media with the interactive television application in response to the request (In response to the request of on-demand media by the user, the main video signal (on-demand media) along with the sub-video signal (supplemental content) is transmitted to the user end and displayed together - col. 11, lines 53-65. Since the sub-video signal is not part of the main video signal, it is supplemental to the main video signal.);

Means (1 – Fig. 1) for providing the on-demand media in response to the request (col. 13, lines 46-51); and

Means (1 – Fig. 1) for providing supplemental content to the user while the user is viewing the on-demand media (While the user is viewing the on-demand media, the supplemental content – "Program Information" is displayed along with the on-demand media. Since the "Program Information" is not part of the main video signal, it is supplemental content. - col. 14, lines 45-56).

As for claims 2, 27, 52, and 77, Kambayashi discloses wherein the on-demand media is video-on-demand media – col. 14, lines 64-65.

As for claims 3, 28, 53, and 78, Kambayashi discloses indicating the availability of supplemental content to the user (13 – Fig. 12, col. 14, lines 42-46).

As for claims 4, 29, 54, and 79, Kambayashi discloses providing a visual indicator (13 – Fig. 12) of the availability of supplemental content (The window (13 – Fig. 12) indicates whether or not supplemental content is available – col. 14, lines 42-46).

As for claims 5, 30, 55, and 80, Kambayashi discloses wherein the visual indicator is selected from the group consisting of text (Referring to Fig. 12, the window (13) comprises of text).

As for claims 7, 32, 57, and 82, Kambayashi discloses providing the supplemental content (12– Fig. 3) comprises providing supplemental content concurrently with the on-demand media (col. 11, lines 46-53).

As for claims 14, 39, 64, 89, 24, 49, 74, and 99, Kambayashi discloses:

providing the user with at least one option related to supplemental content; and receiving an indication of the at least one option from the user (The system provides the user the option to select to view the program information of the program. The user then selects whether or not he/she would like to view it – col. 13, lines 50-56, col. 14, lines 45-50).

As for claims 18, 43, 68, and 93, Kambayashi discloses wherein providing the supplemental content comprises providing interactive media (12 – Fig. 28) related to the on-demand media (col. 21, line 49 – col. 22, line 5).

As for claims 19, 44, 69, and 94, Kambayashi discloses wherein the interactive media is a survey (col. 21, line 49 – col. 22, line 5).

As for claims 25, 50, 75, and 100, Kambayashi discloses providing supplemental content to the user in response to receiving a request from the user (As discussed above in claim 1, supplemental content (12 – Fig. 3) is provided in response to receiving a request from the user for on-demand media).

Claim 51 contains limitations of claim 1 and is analyzed as previously discussed with respect to that claim. Claim 51 additionally calls for the following:

a user input device (mouse; col. 12, lines 1-2);

a display device (2b – Fig. 1);

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 8-9, 33-34, 58-59, and 83-84, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kambayashi in view of Clanton (5524195).

As for claims 8, 33, 58, and 83, Kambayashi fails to disclose providing supplemental content separately from the on-demand media.

In an analogous art, Clanton discloses wherein the user views a preview (supplemental content) separate from the movie (Fig. 10; col. 10, lines 29-35, lines 53-58).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include providing supplemental content separately from the on-demand media, as taught by Clanton, for the advantage of providing the user the enhanced experience of viewing only supplemental content on a display rather than dividing the screen and displaying supplemental content along with on-demand media.

As for claims 9, 34, 59, and 84, Kambayashi fails to disclose retrieving supplemental content prior to viewing the on-demand media.

In an analogous art, Clanton discloses wherein a movie preview (supplemental content) is viewed prior to selecting to watch the movie – (Fig. 10; col. 10, lines 42-48).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include wherein a movie preview (supplemental content) is viewed prior to selecting to watch the movie, as

taught by Clanton, for the advantage of providing the user with content which will inform the user about the movie.

3. Claims 10, 35, 60, and 85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kambayashi in view of Clanton and Klosterman (6,453,471).

As for claims 10, 35, 60, and 85, Kambayashi fails to disclose retrieving supplemental content prior to viewing the on-demand media using a carousel approach.

In an analogous art, Clanton discloses wherein a movie preview (supplemental content) is viewed prior to selecting to watch the movie - (Fig. 10; col. 10, lines 42-48).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include wherein a movie preview (supplemental content) is viewed prior to selecting to watch the movie, as taught by Clanton, for the advantage of providing the user with content which will inform the user about the movie.

In an analogous art, Klosterman discloses wherein data is transmitted using a carousel approach so that each trailer is retransmitted cyclically and will be rebroadcast after a short delay – col. 3, lines 12-16, col. 8, lines 52-55.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include wherein data is transmitted using a carousel approach, as taught by Klosterman, for the advantage of retransmitting each segment cyclically after a delay to ensure reliable data transmission.

4. Claims 11-12, 36-37, 61-62, and 86-87 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kambayashi as applied to claim 1 above, and further in view of Matthews (6025837).

As for claims 11, 36, 61, and 86, Kambayashi fails to disclose retrieving supplemental content comprises storing supplemental content.

In an analogous art, Matthews teaches caching (storing) supplemental content such that the interactive functionality is handled locally, and as a result, load is reduced on the network – col. 7, lines 30-43.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include caching supplemental content, as taught by Matthews, for the advantage of reducing load on the network.

As for claims 12, 37, 62, and 87, Kambayashi teaches retrieving supplemental content associated with the on-demand media as discussed above in claim 1 but fails to teach locally caching the supplemental content.

In an analogous art, Matthews teaches caching (storing) supplemental content such that the interactive functionality is handled locally, and as a result, load is reduced on the network – col. 7, lines 30-43.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include caching supplemental content, as taught by Matthews, for the advantage of reducing load on the network.

5. Claims 6, 15, 31, 40, 56, 65, 81 and 90, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kambayashi in view Bruner (5594661).

As for claims 6, 31, 56, and 81, Kambayashi fails to disclose:

Detecting when media on a digital storage device is accessed;

Providing the user with the media in response to the detection;

Receiving a request for supplemental content related to the media on the digital storage device;

Retrieving the supplemental content that is related to the media on the digital storage device;

Providing the supplemental content that is related to the media on the digital storage device to the user.

In an analogous art, Bruner teaches:

a) Detecting when media (program related to movies) on a digital storage device (118 – Fig. 1; col. 2, lines 33-36) is accessed (col. 3, lines 21-26);

b) Providing the user with the media in response to the detection (col. 3, lines 21-26);

c) Receiving a request for supplemental content (program related to recent movie releases) related to the media on the digital storage device (col. 3, lines 45-50);

d) Retrieving the supplemental content that is related to the media on the digital storage device (col. 3, lines 45-50);

e) Providing the supplemental content that is related to the media on the digital storage device to the user (col. 3, lines 45-50).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include steps a) – e), as taught by Bruner, for the advantage of allowing the user to select media and supplemental content as desired.

As for claims 15, 40, 65, and 90, Kambayashi discloses providing supplemental content as discussed above but fails to disclose providing an actor interview of an actor.

In an analogous art, Bruner discloses providing an actor interview related to an actor the user is currently watching – col. 4, lines 7-17.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include providing an actor interview of an actor as supplemental content, as taught by Bruner, for the advantage of providing the user with additional content about the actor.

6. Claims 16-17, 41-42, 66-67, 91-92, 21, 46, 71, and 96, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kambayashi in view of Reimer (5696905).

As for claims 16-17, 41-42, 66-67, and 91-92, Kambayashi discloses providing information relating to content the user is currently watching as discussed above but fails to disclose providing information related to an actor.

In an analogous art, Reimer discloses wherein the supplemental content provided are actor biographies – col. 11, lines 38-42.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi 's invention to include wherein the supplemental content provided are actor biographies, as taught by Reimer, for the advantage of providing the user with additional information to learn about an actor.

As for claims 21, 46, 71, and 96, Kambayashi fails to disclose providing information related an audio portion of the on-demand media.

In an analogous art, Reimer discloses wherein the user selects to view a scene while listening to voice overs of director or actor with their comments about the scene - col. 5, lines 48-52.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include providing information related an audio portion of the on-demand media, as taught by Reimer, for the advantage of providing the user with supplemental audio content.

7. Claims 20, 45, 70, and 95, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kambayashi in view of Matthews (5815145).

As for claims 20, 45, 70, and 95, Kambayashi fails to disclose wherein the interactive media is an interactive game.

In an analogous art, Matthews discloses wherein the interactive media is an interactive game – col. 9, lines 40-43.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include wherein the interactive media is an interactive game, as taught by Matthews, for the advantage of allowing the user to play a game simultaneously with other users.

8. Claims 13, 22, 23, 38, 47, 48, 63, 72, 73, 88, 97, and 98, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kambayashi in view of Portuesi (5987509).

As for claims 13, 38, 63, and 88, Kambayashi fails to disclose wherein the supplemental content is synchronous metadata.

In an analogous art, Portuesi discloses wherein the embedded URLs (supplemental content) are transmitted along with the movie file – col. 4, lines 30-4w0, col. 5, lines 43-60.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include wherein the supplemental content is synchronous metadata, as taught by Portuesi, for the advantage of simplifying transmission of a file by transmitting both content in one file.

As for claims 22, 47, 72, and 97, Kambayashi fails to disclose providing links related to the audio portion of the on-demand media.

In an analogous art, Portuesi discloses wherein the URLs are associated with the audio in the movie file – col. 5, lines 60-67.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include wherein the URLs are associated with the audio portion in the movie file, as taught by Portuesi, for the advantage of providing the user with the additional feature of accessing desired audio files by simply clicking on a link.

As for claims 23, 48, 73, and 98, Kambayashi discloses providing supplemental content related to the on-demand media but fails to disclose providing links to content.

In an analogous art, Portuesi discloses that URLs are embedded in images which a user could click on for the advantage of accessing related information – col. 6, lines 3-20.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Kambayashi's invention to include providing links to content which the user could click on, as taught by Portuesi, for the advantage of providing the user the convenience of accessing information by simply clicking on a link.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sumaiya A. Chowdhury whose telephone number is (571) 272-8567. The examiner can normally be reached on Mon-Fri, 9-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAC

CHRISTOPHER GRANT
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600